

**Amendment to the Claims:**

Please amend claims 17, 22-23, 26-27, 29-31, 34, 37, 39 and 58-63.

Please cancel claims 1-16, 18-21, 24-25, 32-33, 35-36, 40-45, 47-48 and 57.

Please add claims 65-77.

This listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

Claims 1-16. (Canceled)

17. (Currently amended) A surgical instrumentation system to provide a surgical approach to a patient's spine, comprising:

~~first and second anchors engageable to first and second vertebrae of the spine;~~

a frame including multiple portions lying in at least one plane; and

a plurality of retractors attachable to said frame portions, each of said retractors including a blade portion extending transversely to said at least one plane when attached thereto, said blade portion including a tissue contacting surface adapted to contact and retract tissue from the surgical approach;

~~a first distractor mechanism attachable to said frame and extending transversely to said at least one plane, said first distractor mechanism including a distal end engageable to said first anchor with said first distractor mechanism in pivotal relation to the first vertebra when said first anchor is engaged with the first vertebra;~~

~~a second distractor mechanism attachable to said frame and extending transversely to said at least one plane, said second distractor mechanism including a distal end engageable to said second anchor; and~~

at least one adjustment mechanism engageable with at least one of said retractors ~~first and second distractor mechanisms~~, wherein said at least one adjustment mechanism includes a shaft within a securement device ~~having a distal end~~ pivotally coupled with said at least one of said retractors ~~first and second distractor mechanisms~~ at a pivoting coupling location adjacent a

proximal end of said at least one of said retractors ~~distractor mechanism~~, said ~~shaft extending~~  
~~away from said~~ pivoting coupling location toward said frame portions and into a said securement  
clamping device movable along said frame portions, the securement clamping device operable to  
clampingly engage said adjustment mechanism to said frame portions.

Claims 18-21. (Canceled)

22. (Currently amended) The system of claim 17 ~~[[21]]~~, wherein ~~said at least one~~  
~~adjustment mechanism includes first and second adjustment mechanisms coupled to respective~~  
~~ones of said first and second distractor mechanisms~~, said adjustment mechanisms each including  
a first condition in locking engagement with said respective frame portion ~~distractor mechanism~~  
to fixedly secure said adjustment ~~distractor mechanism~~ relative to said frame portions ~~and the~~  
~~respective one of the first and second vertebrae~~, said adjustment mechanisms further each  
including a second condition in which at least one of said retractor is in pivotal engagement with  
said respective adjustment ~~distractor mechanism~~ to permit said retractor ~~distractor mechanism~~ to  
pivot relative to said frame.

23. (Currently amended) The system of claim 22, further comprising ~~first and second~~  
clamping devices mounted to said frame portions and releasably engageable to respective ones of  
said adjustment mechanisms.

Claims 24-25. (Canceled)

26. (Previously presented) The system of claim 22, wherein said adjustment  
mechanisms each include:

an adjustment handle;

a shaft assembly extending from said adjustment handle and including said shaft and

an engagement member at an end of said shaft assembly opposite said adjustment handle.

27. (Currently amended) The system of claim 26, wherein said engagement member includes a number of teeth configured to selectively interdigitate and lockingly engage a number of teeth provided adjacent a proximal end of said retractor ~~distractor-mechanism~~, said number of teeth engaging one another along concave-convex pivot path of said retractor ~~distractor~~ ~~mechanism~~.

28. (Original) The system of claim 27, wherein said shaft assembly includes an outer shaft and an inner shaft movably positioned within said outer shaft, said engagement member extending from a distal end of said inner shaft.

29. (Currently amended) The system of claim 28, wherein said adjustment handle is linked with said inner shaft, said adjustment handle being rotatable to non-rotatably and linearly advance ~~advace~~ said inner shaft and said engagement member between said first condition and said second condition.

30. (Currently amended) The system of claim 27, wherein said adjustment mechanism includes a pair of plates at a distal end thereof, and each of said retractor ~~distractor~~ ~~mechanism~~ includes a pair of proximal flanges pivotally coupled to said pair of plates.

31. (Currently amended) The system of claim 30, wherein:  
each flange of said pair of proximal flanges includes an arcuate slot defining a pivot path of the respective said retractor ~~distractor-mechanism~~;  
said engagement member includes a slot extending along a longitudinal axis of said shaft assembly; and  
said adjustment mechanism further comprises a roller pin coupled between said pair of plates and extending through said slot of said engagement member and said arcuate slots of said pair of flanges of said retractor ~~distractor-mechanism~~.

Claims 32-33. (Canceled)

34. (Currently amended) The system of claim 17 ~~[[32]]~~, wherein at least one of said retractors ~~portion~~ include[[s]] a first side defining a tissue contacting surface and an opposite second side configured to accommodate and support surgical instruments positioned therealong, said retractor ~~portion further including a pair of arms extending from said second side defining said receptacle therebetween.~~

Claims 35-36. (Canceled)

37. (Currently amended) The system of claim 17 ~~36~~, wherein at least one said retractors include[[s]] a blade portion defining a substantially flat tissue contacting surface extending along a longitudinal axis of said blade portion, and at least another of said ~~second~~ retractors include[[s]] a blade portion defining a concave tissue contacting surface extending along a longitudinal axis of said at least another ~~second~~ retractor.

38. (Original) The system of claim 37, wherein said frame includes a first portion lying in a first plane and a second portion lying in a second plane that is transversely oriented to the first plane.

39. (Currently amended) The system of claim 38, wherein one or more of said retractors is attachable to said first portion and one or more of said ~~second~~ retractors is attachable to said second portion.

Claims 40-45. (Canceled)

46. (Canceled).

Claims 47-48. (Canceled)

49-56 Cancelled.

Claim 57. (Canceled)

58. (Currently amended) A surgical instrumentation system to provide a surgical approach to a patient's spine, comprising:

~~first and second anchors engageable to first and second vertebrae of the spine;~~

a frame including multiple portions lying in at least one plane;

a plurality of retractors attachable to said frame portions, each of said retractors including a blade portion extending transversely to said at least one plane, said blade portion including a tissue contacting surface adapted to contact and retract tissue from the surgical approach; and

~~a first distractor mechanism attachable to said frame and extending transversely to said at least one plane, said first distractor mechanism including a distal end engageable to said first anchor with said first distractor mechanism in pivotal relation to the first vertebra when said first anchor is engaged with the first vertebra;~~

~~a second distractor mechanism attachable to said frame and extending transversely to said at least one plane, said second distractor mechanism including a distal end engageable to said second anchor with said second distractor mechanism in pivotal relation to the second vertebra when said second anchor is engaged with the second vertebra, wherein said first and second distractor mechanisms are each attachable to said frame to fix said first and second distractor mechanisms in position relative to the first and second vertebrae, respectively;~~

at least one ~~first and second~~ adjustment mechanism[[s]] coupled to respective ones of said plurality of retractors ~~first and second distractor mechanisms~~, said adjustment mechanisms each including a first condition in locking engagement with said respective adjustment ~~distractor~~ mechanism to fixedly secure said adjustment ~~distractor~~ mechanism relative to one of said frame portions ~~and the respective one of the first and second vertebrae~~, said adjustment mechanisms further each including a second condition in pivotal engagement with said respective retractor ~~distractor mechanism~~ to permit said retractor ~~distractor mechanism~~ to pivot relative to said frame portion, wherein said adjustment mechanisms each include:

an engagement member at a distal end thereof including a number of teeth configured to selectively interdigitate and lockingly engage a number of teeth provided adjacent a proximal end of said distractor mechanism, said number of teeth engaging one another along concave-convex pivot path of said retractor ~~distractor mechanism~~; and

a pair of plates at said distal end of said adjustment mechanism and said retractor ~~distractor mechanism~~ includes a pair of proximal flanges pivotally coupled to said pair of plates.

59. (Currently amended) The system of claim 58, wherein:

each flange of said pair of proximal flanges includes an arcuate slot defining a pivot path of the respective said retractor ~~distractor mechanism~~;

said engagement member includes a slot extending along a longitudinal axis; and

said adjustment mechanism further comprises a roller pin coupled between said pair of plates and extending through said slot of said engagement member and said arcuate slots of said pair of flanges of said retractor ~~distractor mechanism~~.

60. (Currently amended) The system of claim 58, further comprising another of said plurality of a second retractors attachable to said frame portion generally opposite said retractor.

61. (Currently amended) The system of claim 58 60, wherein at least one of said retractors include[[s]] a blade portion defining a substantially flat tissue contacting surface extending along a longitudinal axis of said blade portion, and at least another of said retractors includes a blade portion defining a concave tissue contacting surface extending along a longitudinal axis of said at least another second ~~second~~ retractor.

62. (Currently amended) The system of claim 61, wherein said frame includes at least a first portion ~~lying in a first plane~~ and a second portion ~~lying in a second plane that is transversely oriented to the first plane~~.

63. (Currently amended) The system of claim 62, wherein at least one of said retractors is attachable to said first portion and at least another of said ~~second~~ retractors is attachable to said second portion.

64. (Currently amended) The system of claim 63, wherein more than one of said ~~first and second~~ retractors ~~distractor mechanism~~ are attachable to said first portion of said frame.

65. (New) The system of claim 63, wherein said frame further comprises a third portion extending between said first and second portions, said at least one of said plurality of retractors is attachable to said third portion.

66. (New) The system of claim 17, wherein in an operative position said frame includes a medial portion adapted to lie along the posterior side of the spine, a caudal portion proximate one end of the medial portion and a cephalad portion proximate a second end of the medial portion.

67. (New) The system of claim 66, wherein in said operative position at least one of said plurality of retractors is attachable to said medial portion and is positionable adjacent the spinal mid-line, least one of said plurality of retractors is attachable to said caudal portion and is positionable in a caudal orientation relative to the spine, and least one of said plurality of retractors is attachable to said cephalad portion and is positionable in a cephalad orientation relative to the spine.

68. (New) The system of claim 17, further comprising one or more brackets coupled to at least one frame portion configured to attach to a surgical table securing arm to support the system.

69. (New) The system of claim 58, wherein in an operative position said frame includes a medial portion adapted to lie along the posterior side of the spine, a caudal portion

proximate one end of the medial portion and a cephalad portion proximate a second end of the medial portion.

70. (New) The system of claim 69, wherein in said operative position at least one of said plurality of retractors is attachable to said medial portion and is positionable adjacent the spinal mid-line, least one of said plurality of retractors is attachable to said caudal portion and is positionable in a caudal orientation relative to the spine, and least one of said plurality of retractors is attachable to said cephalad portion and is positionable in a cephalad orientation relative to the spine.

71. (New) The system of claim 58, further comprising one or more brackets coupled to at least one frame portion configured to attach to a surgical table securing arm to support the system.

72. (New) A surgical instrumentation system to provide a surgical approach to a patient's spine, comprising:

- a frame including a first portion and a second portion;

- a plurality of retractors secured to the frame and adapted to pivot relative to the frame, at least one of said retractors being secured to said first portion of said frame and extending transversely to said first portion and at least one other of said retractors being secured to said second portion of said frame and extending transversely to said second portion; and

- an adjustment mechanism for facilitating pivotal adjustment of the retractors;

- wherein said retractors are secured to the frame with securement devices each including a receptacle being slideable along a respective one of said first and second portions of said frame; and

- wherein each of said retractors is lockable in a selectable pivoting location by engagement of the adjustment mechanism with a portion of the retractor.



73. (New) The system of claim 72, wherein said frame further comprises a third portion, at least one of said retractors being secured to said third portion of said frame and extending transversely to said third portion.

74. (New) The system of claim 72, wherein at least one of said plurality of retractors include a blade portion defining a substantially flat tissue contacting surface extending along a longitudinal axis of said blade portion, and at least another of said plurality of retractors includes a blade portion defining a concave tissue contacting surface extending along a longitudinal axis of said at least another retractor.

75. (New) The system of claim 72, wherein at least one of said plurality of retractors include a first side defining a tissue contacting surface and an opposite second side configured to accommodate and support surgical instruments positioned therealong.

76. (New) The system of claim 72, wherein at least one of said plurality of retractors include a tissue contacting surface adapted to contact and retract tissue from the surgical approach.

77. (New) The system of claim 72, further comprising one or more brackets coupled to at least one frame portion configured to attach to a surgical table securing arm to support the system.